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REFERENCE TITLE: **health care professionals; hospitals.**

State of Arizona  
Senate  
Forty-sixth Legislature  
First Regular Session  
2003

## **SB 1178**

Introduced by  
Senators Allen: Binder, Blendu, Waring

**AN ACT**

**AMENDING TITLE 36, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 36-413 AND 36-414; RELATING TO HEALTH CARE INSTITUTIONS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 4, article 1, Arizona Revised Statutes,  
3 is amended by adding sections 36-413 and 36-414, to read:

4 36-413. Patient safety; reporting; definition

5 A. THE DIRECTOR BY RULE SHALL PROHIBIT A HEALTH CARE INSTITUTION FROM  
6 TAKING RETALIATORY ACTION AGAINST A HEALTH PROFESSIONAL WHO:

7 1. PROVIDES INFORMATION OR INTENDS TO PROVIDE INFORMATION TO A PRIVATE  
8 ACCREDITATION ORGANIZATION, A GOVERNMENTAL AGENCY OR A PUBLIC BODY CONCERNING  
9 AN ACTIVITY, POLICY OR PRACTICE BY THE HEALTH CARE INSTITUTION THAT THE  
10 HEALTH PROFESSIONAL REASONABLY BELIEVES IS AGAINST THE LAW OR VIOLATES  
11 PROFESSIONAL STANDARDS OF PRACTICE AND REASONABLY BELIEVES POSES A RISK TO  
12 THE HEALTH, SAFETY OR WELFARE OF A PATIENT OR THE PUBLIC.

13 2. OBJECTS TO OR REFUSES TO PARTICIPATE IN ANY ACTIVITY, POLICY OR  
14 PRACTICE OF A HEALTH CARE INSTITUTION THAT THE HEALTH PROFESSIONAL REASONABLY  
15 BELIEVES VIOLATES PROFESSIONAL STANDARDS OF PRACTICE AND REASONABLY BELIEVES  
16 POSES A RISK TO A PATIENT OR THE PUBLIC'S HEALTH, SAFETY OR WELFARE.

17 B. FOR THE PURPOSES OF THIS SECTION, "HEALTH PROFESSIONAL" HAS THE  
18 SAME MEANING PRESCRIBED IN SECTION 32-3201.

19 36-414. Magnet hospital incentive program; designation;  
20 reimbursement

21 A. SUBJECT TO THE AVAILABILITY OF MONIES IN THE MEDICALLY NEEDY  
22 ACCOUNT ESTABLISHED BY SECTION 36-774, THE ARIZONA HEALTH CARE COST  
23 CONTAINMENT SYSTEM ADMINISTRATION SHALL TRANSFER TO THE DEPARTMENT OF HEALTH  
24 SERVICES THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS IN EACH OF FISCAL  
25 YEARS 2004-2005, 2005-2006, 2006-2007 AND 2007-2008 FOR GRANTS TO HEALTH CARE  
26 INSTITUTIONS THAT PROVIDE ACUTE OR LONG-TERM CARE AND THAT HAVE BEEN AWARDED  
27 MAGNET DESIGNATION BY THE AMERICAN NURSING ASSOCIATION CREDENTIALING CENTER  
28 MAGNET RECOGNITION PROGRAM. EACH GRANT SHALL BE IN AN AMOUNT NECESSARY TO  
29 REIMBURSE THE DESIGNATED HEALTH CARE INSTITUTION FOR THE PROGRAM APPLICATION  
30 AND APPRAISAL PROCESS COSTS.

31 B. TO RECEIVE A GRANT, THE HEALTH CARE INSTITUTION MUST SUBMIT AN  
32 APPLICATION AND DOCUMENTATION AS PRESCRIBED BY THE DEPARTMENT.

33 C. THE TRANSFERS TO THE DEPARTMENT MADE PURSUANT TO SUBSECTION A OF  
34 THIS SECTION ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO  
35 LAPSING OF APPROPRIATIONS, EXCEPT THAT ANY MONIES THAT REMAIN UNSPENT AND  
36 UNENCUMBERED AT THE END OF FISCAL YEAR 2007-2008 REVERT TO THE STATE GENERAL  
37 FUND.